



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION VIII, MONTANA OFFICE  
FEDERAL BUILDING, 301 S. PARK, DRAWER 10096  
HELENA, MONTANA 59626-0096

Ref: 8MO

May 14, 1990

Robert L. Dent  
Minerals Projects Manager  
ARCO Coal Company  
555 Seventeenth Street  
Denver, Colorado 80202

Site East Helena  
File # 2.06  
Confidential: Yes ☐ No ☒  
Admin. Record: Yes ☒ No ☐  
Key Words/Comments: EPA's response  
to ARCO's good faith offer  
for Process Ponds RD/RA.

RE: East Helena Site - Process  
Ponds Operable Unit RD/RA  
Negotiations

Dear Mr. Dent:

EPA Region VIII has received and reviewed the May 1, 1990 offer submitted by you to EPA on behalf of Asarco. EPA has determined that this offer constitutes a "good faith offer" as contemplated by section 122(e) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9622(e), and provides a sufficient basis to continue negotiations. Consequently, the negotiation moratorium has now been extended for an additional period of sixty days as provided in Section 122(e). The negotiation moratorium will now expire on July 1, 1990.

EPA Office of Regional Counsel and Program staff are currently preparing an in-depth analysis of the documents which you submitted. Upon completion of this analysis, EPA will schedule a meeting with you to discuss the outstanding issues which pose a barrier to settlement.

If you have any questions pertaining to this matter, please direct them to Suzanne J. Bohan, Office of Regional Council, EPA Region VIII, Denver, Colorado 80202, at (303) 293-1458.

Sincerely,

A handwritten signature in dark ink, appearing to read "John F. Wardell".  
John F. Wardell, Director  
Montana Office

cc: Suzanne J. Bohan, 8RC  
D. Scott Brown, 8MO  
Michael Goodstein, DOJ  
Nancy Mangone, EPA-HQ, LE-134S